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## LEADERSHIP FROM GOVERNORS IS EXPECTED BY THE PEOPLE

## ALBUQUERQUE DOES BIG BUSINESS IN HANDLING HIDES AND STAPLES

Gov. Woodrow Wilson in Opening Sessions of Executives of States of Union at Spring Lake, Sounds Keynote.

### NINETEEN STATES ARE REPRESENTED

Governor Francis of Wisconsin Selected as Temporary Chairman and Session Gets Down to Business.

**(By Evening Herald A. P. Leased Wire)** Spring Lake, N. J., Sept. 12.—Governor Woodrow Wilson of New Jersey called the third annual conference of governors to order today. Nineteen governors were present.

Governor Francis of Wisconsin, was elected temporary chairman. In welcoming delegates, Governor Wilson said:

"The people of the United States expect their governors to exercise leadership—leadership of the most vital sort—therefore it is of the utmost importance that the men who undertake leadership should come together in common council to consider the affairs of the whole country."

Governor Joseph W. Carey of Wyoming made the response on behalf of the delegates.

The governors plan to visit Fort Hancock in a body tomorrow.

Governor John Shafroth of Colorado and his wife arrived today for the conference.

When hearing of the report of his death of yesterday he smiled and declared it was evidently untrue.

After his opening remarks Governor Carey called attention to the need of uniform divorce legislation.

"The question of divorce is the most important of the day," he said. "Personally I come from a woman's suffrage state and I want to see every state in the union adopt woman suffrage. I think it would lead to a remedy for our divorce evils."

Two methods by which the powers of state executives throughout the union ought to be strengthened, in the opinion of Governor Edward L. Norris of Montana, were discussed by him before the conference of governors here today.

The first vital step to be taken, Governor Norris believes, is to bestow upon governors the power to remove inefficient state officers charged with the enforcement of criminal and revenue laws. The second is to grant the governor the right to initiate and refer legislation to the voters for their approval or rejection.

Governor Norris addressed himself to "strengthening the power of the Executive." In part, he said:

"No useful purpose can be served in having unlimited authority to call out ten militia when it is desired to prevent prize fighting, suppress gambling, close wine rooms or enforce the criminal statutes in general. To attempt to suppress violations of the various criminal laws by calling out the state troops would be about as sensible or practical as would be the use of coast defense artillery in destroying sparrows."

The constitution declares the governor to be the chief executive officer, and commands him to see that the laws are faithfully executed; but he can accomplish this without the cooperation, aid and assistance of the police and prosecuting officers of his state. In addition to the profound regret that any right-thinking executive must experience when he observes that the laws are flagrantly violated and that offenders are going unpunished of justice, there is the further one of knowing that many people whose good opinions he values believe that he has adequate authority and that his failure to act is proof of his connivance with wrong doing or indifference thereto. Such conclusions are but natural.

The governor cannot go out and arrest offenders, file complaints, conduct prosecutions and in person administer punishment. Those functions must be performed by others, by police and prosecuting officers. It is upon them that the necessary authority is conferred and upon them that direct responsibility rests. When they for any reason fail to perform their duties the laws are not faithfully executed. If the governor is to see that the laws are faithfully executed, he should have the authority to inspect, supervise, and in case of want or failure on their part to discharge a duty to remove them from office.

The bestowal of supervisory control and power to remove from office for dereliction of duty certain officers charged with the enforcement of the criminal and remedial laws of a state will insure more efficient service and cure some of theills that are of grave public concern.

In many states the voters have in large measure lost confidence in the efficiency of legislative assemblies, and the initiative and referendum methods of legislation have been invoked as a means to secure laws that the legislature would not enact and to vote legislation that in the public mind was not wise or beneficial.

"At best, however, initiating legis-

Develops at Interstate Commerce Commission Hearing That This City Handles Big Quantities of Produce.

### EXAMINER PROUTY HEARS THE TESTIMONY

Many Bright Legal Minds Delve Into Question of Freight Rates in New Mexico and Arizona Here.

The long haul, the short haul, concentration rates, graded rates, blanket rates, combination rates via water and rail, the rates asked by the Santa Fe railroad and the Southern Pacific railroad in New Mexico and Arizona, these and many other questions were gone into at considerable length at the all-day hearing today conducted by Ward Prouty, examiner for the Interstate Commerce commission, the hearing being held in the court room in the federal building and being attended by many prominent attorneys and witnesses. The hearing began promptly at 9:30. Examiner Prouty, on the bench, J. T. Marchand, attorney for the government, immediately raised the case for the United States first of all, however, expressing his appreciation that the hearing was being held in such a beautiful court room, and that the room was to be occupied for the first time since construction by a hearing of the commission. Mr. Marchand then proceeded to outline the complaint. An investigation of the baled rates and sacked rates from points in New Mexico and Arizona on the Santa Fe and Southern Pacific railroads; whether the rate shall be a blanket rate or a graded rate, and the penalty or charge for stopping in transit; and the question of the long and the short haul.

Having briefly outlined the case Mr. Marchand called the first witness, Frank W. Brown, vice president of the Finnigan Brown Hide company, which maintains a house in Albuquerque. Mr. Brown gave his testimony as El Paso, Texas, and at once under direction of Mr. Marchand, explained the weight of green, salted hides; the average weight of dry hides; and the average weight of sheep pelts. Mr. Brown said that his company shipped hides from Arizona, West Texas and New Mexico, that the rate on green, salted hides from El Paso to New York via rail to Galveston and water to New York via the Southern Pacific \$2.25 per hundred, this rate being paid because of the Texas commission rate out of El Paso. In answer to a question, Mr. Brown said that the rate over the Santa Fe out of Albuquerque to New York and points east of the Mississippi was \$1.10 and \$1.50, El Paso to Chicago, \$2.50 and \$3.00, and from Tucson, Ariz., to New York on the Southern Pacific \$2.25 per hundred. Brown then went into the situation on the Southern Pacific in Arizona, saying that all S. P. rates before him were unreasonably high.

On cross examination, Mr. Brown said that the rate of \$1.50 out of Albuquerque was not unreasonable and that he did not challenge that rate.

When asked by Examiner Prouty to state his exact complaint, Mr. Brown said that he had a general complaint against railroad companies because of "concentration rates," which he said are charged from one place to another at various times.

Here Mr. Marchand volunteered the information that the Southern Pacific railroad company has been notified that all their rates are challenged and that a hearing on the matter will be held in either Chicago or Salt Lake.

Continuing, Mr. Brown said that he continued the practice of the Southern Pacific to charge \$2.25 from Los Angeles to El Paso on hides and pelts, and only \$1.00 from El Paso to Los Angeles, was unfair and unreasonable.

I claim that shippers should pay the same rate per ton per mile," said Mr. Brown, in answer to a question put by Examiner Prouty.

Counsel for the Santa Fe railroad then took the witness and conducted a cross-examination for several moments, going into the technical questions quite thoroughly with reference to the number of bales of hides that can be compressed and placed in a single car with a maximum weight allowance of 20,000 pounds.

When the question of concentration rates was taken up, Mr. Brown cited the concentration rates he believed were effective in Springfield, Silver City and other points. Mr. Brown said he did not believe it was fair to Trinidad, for instance, to make Springfield a "concentration" point with a favorable rate from Springer to Albuquerque or other markets.

Counsel for the Santa Fe volunteered the information that the concentration rates mentioned had been withdrawn by the company.

Returning to conditions on the Southern Pacific, Mr. Brown said that the rate from Clifton, Morenci, Tucson and other points, was \$2.25 per hundred on dry hides, there being no rate on green, salted hides other than a Tucson rate. The rate west of Tucson, he explained, Phoenix for instance was \$2.50 on the Southern



## HARRIMAN STRIKE NOT IMMINENT AT PRESENT SAYS KLINE

No Definite Action Will Be Taken Until International Officers Have Held Conference in Kansas City.

### HE WILL MAKE TRIP TO NUMBER OF CITIES

**(By Evening Herald A. P. Leased Wire)** Los Angeles, Calif., Sept. 12.—A sudden but unexplained change in the plans of J. W. Kline, international president of the blacksmithing helpers union, who arrived yesterday from San Francisco with the intention of going east by way of Salt Lake City, cast his probable return to San Francisco tonight according to his statement today.

He declared that there was no change in the situation resulting from the refusal of Julius Krattschmidt, director of maintenance of way of the Southern system, to recognize the Federation system, to recognize the federation of shop crafts.

Kline said that if a strike was called it would not be before he and other international officers held a meeting in Kansas City.

The other officials who arrived here with Kline expect to start late today for Kansas City by way of Tucson, Arizona and El Paso, San Antonio and Houston, Texas, addressing a mass meeting in the latter city in the next few days, and conferring with union officers in all the cities they visit.

### INTERNATIONAL WILL NOT BACK STRIKE

Chicago, Sept. 12.—Following refusal of the international association of machinists to back financially the proposed strike of Illinois Central railroad shop men in support of the system, federation, international officials here in charge of the situation prepared to hold another conference this afternoon with a view to putting the controversy up to the arbitration of the two sides.

## ESCAPED CONVICT IS RECAPTURED

H. L. Powell Will Make Sensational Get Away From a Colorado Prison Found in California and Will Return.

### CHICAGO, Sept. 12.—

**(By Evening Herald A. P. Leased Wire)** Los Angeles, Cal., Sept. 12.—H. L. Powell, who made a sensational escape from the Canon City, Colo., penitentiary last June, was arrested here last night after he had been trailed here by Colorado officers. He readily admitted his identity and said he would not make a fight against extradition. Powell was serving time for burglary.

### POWELL ONLY BROKE HIS PAROLE

Canon City, Colo., Sept. 12.—H. L. Powell, who was reported arrested in Los Angeles yesterday, was not an escaped convict from the Colorado penitentiary, but was on parole, having been released from the Mesa county road camp July 14, 1911.

Powell left the state without permission and was traced to Los Angeles, where he was arrested.

## LAVA STREAMS ARE POURING OUT OF FISSURES IN MOUNT ETNA

Terrified Inhabitants of Villages Are Fleeing for Their Lives as Earth Shocks Rumble from Mountain.

### ANCIENT FORESTS ARE IN DANGER

**(By Evening Herald A. P. Leased Wire)** Catania, Sicily, Sept. 12.—The activity of Mount Etna increases again new fissures have opened and from the two nearest the base of the volcano a great stream of lava issues. It is moving at the rate of 1,200 feet an hour and has covered several miles toward Linguaglossa, northeast of Etna.

Linguaglossa and Randazzo, to the northwest are in danger and are threatened by the flow of lava through stones or debris sent on them. The residents, however, are panic-stricken and have deserted the towns. Earth shocks continue.

The river of lava has invaded the ancient old forest of lava and pine and appears about to destroy the ancient vineyards and nut woods. It is expected soon to reach the railway line circling Mount Etna at a point between Linguaglossa and Randazzo.

The other missionaries remain at Cheng Tu and the priests of the vicar, who is competent. The troops closely resented both in attacks on the government houses and the later attack on the gates of the city.

### CHENG TU PROVINCE

S. A. Potter Also Known as Post Is Caught by Government Officers for Working Million-Dollar Fraud Deal.

### CHICAGO, Sept. 12.—

**(By Evening Herald A. P. Leased Wire)** Chicago, Sept. 12.—A. Potter, alias George W. Post, said by federal officers to be one of the best gold brick and green goods confidence men in the world, was arrested today by the division superintendent of the department of justice on a charge of operating a confidence game.

Potter and two companions, far whom federal officials are searching, are said to have netted \$1,000,000 in the past few years by the operator of their schemes.

The swindlers also operated in "gilded" gold mines, according to federal officials. Potter made his headquarters in either Chicago or some other large city; his companions went to London, Berlin and other foreign cities to interest wealthy men in the gold mines swindle.

The men are said to have operated in nearly every large city in the world during the last ten years.

### FRENCH WOMAN IS A HIGH FLYER

**(By Evening Herald A. P. Leased Wire)** Biarritz, France, Sept. 12.—Helene Dietrich made a new mark in the competition for the women's cup today by flying 136.62 miles.

### MRS. RALPH JOHNSTONE

**(By Evening Herald A. P. Leased Wire)** Biarritz, Spain, Sept. 12.—There was a clash between the aristocrats and the civil guards last night during which the latter ran into the crowd and wounded eight persons, two fatally, it is thought.

Local unions have proclaimed a general strike here.

## CROSS CONTINENT FLIGHT WINDS UP IN ACCIDENT TO AVIATOR

Robert S. Fowler Loses Control of Plane at Alta California and Comes Down in Top of Tall Pine Tree Near Canyon

### BIRDMAN MAY BE SEVERELY INJURED

He Says He is Not Badly Hurt But Internal Complications Are Feared. Machine is a Mass of Wreckage.

### (By Evening Herald A. P. Leased Wire)

Alta, Calif., Sept. 12.—Little change in the apparent result was shown today by a revision of the returns of the vote cast at yesterday's special election on the question of taking prohibition out of the state constitution. Fourteen towns had not been heard from, and without these towns the vote stood: For repeat, 6,721; against repeat, 59,928.

This gave a majority of 742 for the repeal of the prohibitory amendment to the state constitution.

Former Mayor Adam P. Leighton of Portland, president of the No License League, announced today that steps would be taken for a recount of the vote unless the official returns should materially increase the majority for the repeal of the amendment.

Leighton said: "The machine is a wreck and cannot be repaired for the continuance of the journey."

When in the neighborhood of Alta and about two miles east of Devil's Flat, something suddenly went wrong with the aeroplane and the machine began going around in circles and dipping to the earth, getting completely beyond the control of the aviator.

The aeroplane struck in the top of a large pine tree at the edge of a gully, wrecking the machine, which settled swiftly to the rock ground.

Fowler was caught in the wreckage.

Persons in Alta and Devil's Flat witnessed it all and rushed to his aid.

The altitude at this point is 6,396.

### AVIATOR UNDERTAKES MOST DIFFICULT FLIGHT

Auburn, Calif., Sept. 12.—Robert G. Fowler rose from the ground here at 9:33 o'clock this morning to begin the second day of his trans-continent aeroplane flight.

The aviator faces the most difficult flight of the journey today.

He must cross the Sierras and expects to reach an altitude of more than 8,000 feet. He said he probably would fly about 2,000 feet above the summit, which would give him an altitude of 6,000 feet.

He carried beef tea and a thermal heater on the airplane and will depend on chocolate wafers to satisfy his hunger while in the air.

Fowler plans to spend the night in Winnemucca, Nevada, a distance of 210 miles from this town of 292 miles. He will travel in the way of Fallon and Lovelock. Fowler made the 11 miles to Applegate in 11 minutes exactly.

### FOWLER WAS FLYING SIXTY MILES AN HOUR

Coffee, Calif., Sept. 12.—Fowler crossed Coffee, 157 miles from Auburn and 112.4 miles from San Francisco at 5:55 a.m. He was flying at the rate of 62 miles an hour at an elevation of about 1,000 feet.

The other missionaries remain at Cheng Tu and the priests of the vicar, who is competent. The troops closely resented both in attacks on the government houses and the later attack on the gates of the city.

### BRITISH REFUGEES ARRIVE SAFELY

Peking, Sept. 12.—The British legation received a telegram today stating that the first party of refugees from Cheng Tu arrived in safety at Sun Wu.

Recently these refugees, all of whom were British citizens, came down the river by land and were met by a British gunboat.

A belated message to the British legation, dated Cheng Tu, Sept. 8, says:

The other missionaries remain at Cheng Tu and the priests of the vicar, who is competent. The troops closely resented both in attacks on the government houses and the later attack on the gates of the city.

### MEXICALI WILL BE A FORTRESS

Mexican Soldiers Are Engaged in Throwing Up Trenches and Town Hereafter Be Able to Resist Attacks.